Martin A. Hay & Co.

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Date:

4th July 2003

Total Number of Pages:

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To:

Commissioner for Patents

US Patent & Trademark Office

FAX Number:

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From:

Martin A Hay

FAX Number:

(44) 1625 500058

Acknowledgment Requested:

Yes

No

Message:

Re:

Applicant: Liebeschuetz et al

US Application Serial No. 10/030,188

Our Ref: 00217/US

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July 4, 2000

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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants

LIEBESCHUETZ, John Walter

MURRAY, Christopher William

YOUNG, Stephen Clinton

CAMP, Nicholas Paul

JONES, Stuart Donald

WYLIE, William Alexander

MASTERS, John Joseph

WILEY, Michael Robert

SHEEHAN, Scott Martin

ENGEL, David Birenbaum

WATSON, Brian Morgan

Serial No.

: 10/030,188 /

Filed

: 04 February 2002

Group Art Unit: 1624

Examiner

: PATEL, Sudhaker B

For

: Serine Protease Inhibitors

Docket No.

: 00217/US

By Facsimile (without Copies of References)

Confirmation (with Copies of References) by Courier

Commissioner for Patents
US Patent & Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
UNITED STATES

Sir:

INFORMATION DISCLOSURE STATEMENT

As a means of complying with the duty of disclosure, Applicant's submit an "Information Disclosure Statement by Applicant" on PTO Form PTO/SB/08A for consideration by the Examiner. Since this statement is being submitted during the period specified in 37 C.F.R. § 1.97(b), it is believed that no fee is due for this submission. However, should an Office Action on the merits have been mailed, please charge Deposit Account No. 50-1230 in the amount of the fee under 37 C.F.R. § 1.17(p), and consider the information under 37 C.F.R. § 1.97(c).

It is understood that the Examiner has received a copy of the International Search Report and copies of the documents cited therein (Documents B1, B2, B4, B5 and B21). If this is incorrect, the Examiner is kindly requested to contact the undersigned to request copies.

Document A2, which issued in April, 2003, claims priority from the same US provisional application as Document B18.

In addition, Applicants would like to provide the Examiner with the following background information:-

BACKGROUND INFORMATION

This application claims priority under 35 U.S.C. 119 from PCT/GB00/02302 (WO 00/76971, Document (B4)), which has entered the U.S. national stage as U.S. patent application serial number 09/926,712. The claims in the 09/926,712 application have been amended so as not to read on any of the compounds originally claimed in the present application.

The compounds claimed in this application were invented in the course of a research collaboration between Eli Lilly and Company (the assignee of record) and Protherics Molecular Design Limited (now Tularik Limited, a subsidiary of Tularik Inc). The predecessor company of Protherics Molecular Design Limited was Proteus Molecular Design Limited. By virtue of an agreement dated December 15, 1999, the invention claimed in the present application was subject to an obligation of assignment to Eli Lilly and Company at the time that the invention was made.

This application forms part of a portfolio of patent applications directed to serine protease inhibitors, some of which belong to Eli Lilly and Company, and some of which belong to Tularik Limited. The history of this portfolio traces back to a research project on serine protease inhibitors started by Proteus Molecular Design Limited. The undersigned is responsible for handling the applications in this portfolio.

A listing of the co-pending applications and patents in the portfolio is attached.

Eli Lilly and Company also owns a separate portfolio of applications and patents relating to serine protease inhibitors. PCT references belonging to this portfolio are

listed in the attached form PTO/SB/08A. Generally these PCT references have U.S. counterparts.

COMMUNICATION BY TELEPHONE

If the Examiner wishes to speak by telephone with the undersigned, the undersigned can be contacted by e-mail at martinahay@martin-a-hay.com, and would be pleased to telephone the Examiner in response.

Respectfully submitted,

Hay, Martin Alexander

Agent for Applicants

Registration No. 39,459

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Martin A. Hay & Co., 13 Queen Victoria Street Macclesfield Cheshire SK11 6LP

UNITED KINGDOM

July 4, 2003

Co-Pending Lilly and Tularik Applications and Patents

Co-pending applications - Assigned to Eli Lilly and Company

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09/926,712 (national stage of WO 00/76971 (B4))
09/926,716 (national stage of WO 00/76970 (B5) - abandoned)
10/030,187 (national stage of WO 01/96323)
10/030,186 (national stage of WO 01/96304)
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10/030,189 (national stage of WO 01/96296)

4. Co-pending applications and patents - Assigned to Tularik Limited

US 6262069 and US 6420438 (national stage of WO 99/11657 (B1) and continuation)

09/988,082 (continuation-in-part of 09/485,678, WO 99/11658
(B2) and of WO 00/77027 (B6)

10/148,174 (national stage of WO 01/44226)

10/296,245 (national stage of WO 01/96305)

10/432,365 (national stage of WO 02/47762)

Substitute for form 1449/PTO

PTO/SB/08A (04-03)

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Col	Complete if Known				
Application Number	10/030,188				
Filing Date	02/04/2002				
First Named Inventor	Liebeschuetz, J. W.				
Art Unit	1624				
Examiner Name	Patel, Sudhaker B				
Attorney Docket Number	00217/US				

		<u> </u>		DOCUMENTS	
Examiner Initials*	Cile No. ¹	Document Number Number-Kind Code ^{2 (7 kinem)}	Publication Date MM-DD-YYYY	Name of Patentes or Applicant of Cited Document	Pages, Columna, Unes, Where Relevant Passages or Relevant Figures Appear
	A1	^{US-} 5346907	09-13-1994	Kerwin et al	
	A2	^{US} 6545055	04-08-2003	Zhu et al	
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		FORE	IGN PATENT DOCU	MENTS		
Examiner Initials*	Cite No.	Foreign Patent Document	Publication Dale	Name of Palentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
		Country Cade ² Number ⁴ Kind Code ⁵ (if known)	MM-DD-YYYY		Or Relevant Figures Appear	7°
	B1	WO 99/11657	03-11-1999	Proteus	,	
	B2	WO 99/11658	03-11-1999	Proteus		
	B3	WO 98/47876	10-29-1998	Akzo		П
	₿4	WO 00/76971	12-21-2000	Eli Lilly and Co		
	B5	WO 00/76970	12-21-2000	Eli Lilly and Co		
_	B6	WO 00/77027	12-21-2000	Protherics		

Examiner Date	
Signature Considered	

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Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, usefulned and submitting the completed application form to the USPTO. Time will very depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231.

To: Commissioner for Paperts, Washington, DC 20231.

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Complete If Known Substitute for form 1449/PTO Application Number 10/030,188 Filing Date 02/04/2002 INFORMATION DISCLOSURE First Named Inventor Liebeschuetz, J. W. STATEMENT BY APPLICANT 1624 (Use as many sheets as necessary) Examiner Name Patel, Sudhaker B 00217/US Attorney Docket Number

		<u> </u>	U. S. PATENT D		
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	B7	WO 91/00725	01-24-1991	Abbott Labs		Г
	B8	WO 99/00121	01-07-1999	Eli Lilly and Co		Т
	B9	WO 99/00126	01-07-1999	Eli Lilly and Co		
	B10	WO 99/00127		Eli Lilly and Co		Т
	B11	WO 99/00128	01-07-1999	Eli Lilly and Co		
	B12	WO 00/39092	07-06-2000	Eli Lilly and Co	<u> </u>	۳

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[&]quot;EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through distation if not in conformance and not considered, include copy of this form with next communication to applicant. Applicant's unique distant designation number (optional). See Kinds Codes of USPO Patent Documents of www.uspto.gov or MPEP 991.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language

If you need assistance in completing the form, cell 1-800-PTO-9199 (1-800-786-9199) and select option 2.



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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete If Known			
Application Number	10/030,188		
Filing Date	02/04/2002		
First Named Inventor	Liebeschuetz, J. W.		
Art Unit	1624		
Examiner Name	Patel, Sudhaker B		
Attorney Docket Number	00217/US		

U. S. PATENT DOCUMENTS Examiner City Document Number Publication Date Name of Patentee or Pages, Columns, Lines, Where							
Initlals*	Cite No.1	Number-Kind Code ^{2 (7 known)}	MM-DD-YYYY	Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		
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	B13	WO 00/39111	07-06-2000	Eli Lilly and Co		
	B14	WO 00/39117	07-06-2000	Eli Lilly and Co		T
,	B15	WO 00/39118	07-06-2000	Eli Lilly and Co		
	B16	EP 796866A1	09-24-1997	Eli Lilly and Co		
	B17	WO 97/49404	12-31-1997	Eli Lilly and Co		
	B18	WO 00/71493	11-30-2000	Cor Therapeutics		

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Complete If Known Substitute for form 1449/PTQ Application Number 10/030,188 Filing Date 02/04/2002 INFORMATION DISCLOSURE First Named Inventor Liebeschuetz, J. W. STATEMENT BY APPLICANT Art Unit 1624 (Use as many sheets as necessary) Examiner Name Patel, Sudhaker B 00217/US Altomey Docket Number

Examiner	Cite No.1	Document Number	Publication Date	Name of Patentee or	Pages, Columns, Lines, Whore
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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	No.	Foreign Patent Document	Publication Date	Name of Palentae or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	П
		Country Code ² "Number ⁴ "Kind Code ⁴ (# known)	MM-DD-YYYY			⊤⁵
	B19	WO 00/71507	11-30-2000	Cor Therapeutics		
	B20	WO 00/71508	11-30-2000	Cor Therapeutics		
	B21	WO 99/25686	05-27-1999	Teijin Ltd	Example 2099	
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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		•	Application Number	10/030,188	
INFORMATI	ON DIS	CLOSURE	Filing Date	02/04/2002	
(Use as many sheets as necessary)			First Named Inventor	Liebeschuetz, J. W.	
			Art Unit	1624	
			Examiner Name	Patel, Sudhaker B	
Sheet 5	of	5	Attorney Docket Number	00217/US	

		NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issu number(s), publisher, city and/or country where published.					
	C1	Jones, Stuart D, et al., Bioorganic & Medicinal Chemistry Letters 11 (2001) 733-736	`			
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1 Applicant's unique citation designation number (optional). Z Applicant is to place a check mark here if English language Translation is attached.

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